



General Assembly

January Session, 2007

Raised Bill No. 7288

LCO No. 4841

04841_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE LICENSING OF COMMUNITY
ASSOCIATION MANAGERS AND THE RIGHTS OF UNIT OWNERS IN
CONDOMINIUMS AND OTHER COMMON INTEREST COMMUNITIES.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 20-450 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2008*):

3 As used in sections 20-450 to 20-462, inclusive, as amended by this
4 act, and sections 13 to 16, inclusive, of this act, unless the context
5 otherwise requires:

6 (1) "Association" means (A) an association, as defined in section 47-
7 202, and an association of unit owners, as defined in section 47-68a and
8 in section 47-68 of the general statutes, revision of 1958, revised to
9 January 1, 1975, and (B) the mandatory owners organization of any
10 common interest community, as defined in section 47-202, which
11 community was not created under chapter 825 or 828 or under chapter
12 825 of the general statutes, revision of 1958, revised to January 1, 1975.
13 "Association" does not include an association of a common interest
14 community which contains only units restricted to nonresidential use;

15 (2) "Community association manager" means a person who
16 provides association management services, and includes any partner,
17 director, officer, employee or agent of such person who directly
18 provides association management services on behalf of such person;

19 (3) "Association management services" means services provided to
20 an association for remuneration, including one or more of the
21 following: (A) Collecting, controlling or disbursing funds of the
22 association or having the authority to do so; (B) preparing budgets or
23 other financial documents for the association; (C) assisting in the
24 conduct of or conducting association meetings; (D) advising or
25 assisting the association in obtaining insurance; (E) coordinating or
26 supervising the overall operations of the association; and (F) advising
27 the association on the overall operations of the association. Any person
28 licensed in this state under any provision of the general statutes or
29 rules of court who provides the services for which [he] such person is
30 licensed to an association for remuneration [,] shall not be deemed to
31 be providing association management services. Any director, officer or
32 other member of an association who provides services specified in this
33 subdivision to the association of which he or she is a member shall not
34 be deemed to be providing association management services unless
35 such director, officer or other member owns or controls more than
36 two-thirds but less than all of the votes in such association;

37 (4) "Commission" means the [Connecticut Real Estate Commission
38 appointed under the provisions of section 20-311a] Connecticut
39 Community Association Commission appointed under the provisions
40 of section 13 of this act;

41 (5) "Department" means the Department of Consumer Protection;
42 and

43 (6) "Person" means an individual, partnership, corporation, limited
44 liability company or other legal entity.

45 Sec. 2. Section 20-451 of the general statutes is repealed and the

46 following is substituted in lieu thereof (*Effective January 1, 2008*):

47 No person shall hold himself or herself out to be a community
48 association manager or provide association management services
49 without first obtaining a [certificate of registration] license as provided
50 in sections 20-450 to 20-462, inclusive, as amended by this act, and
51 sections 13 to 16, inclusive, of this act.

52 Sec. 3. Section 20-452 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective January 1, 2008*):

54 (a) Any person seeking a [certificate of registration] license as a
55 community association manager shall apply to the department, in
56 writing, on a form provided by the department. Such application shall
57 include the applicant's name, residence address, business address,
58 business telephone number and such other information as the
59 department may require.

60 (b) Each application for a [certificate of registration] license as a
61 community association manager shall be accompanied by an
62 application fee of sixty dollars and a [registration] license fee of one
63 hundred dollars. The department shall refund the [registration] license
64 fee if it refuses to issue a [certificate of registration] license. The
65 payment of an application fee shall entitle an applicant who otherwise
66 meets the requirements established by the commission to take the
67 written examination, as provided in subsection (c) of this section, four
68 times within the one-year period from the date of payment. In addition
69 to the application fee, applicants taking an examination administered
70 by a national testing service shall be required to pay directly to such
71 testing service an examination fee covering the cost of such
72 examination.

73 (c) The commission shall subject any applicant for a license under
74 this section to personal written examination as to the applicant's
75 competency to act as a community association manager. Such
76 examination shall be prepared by the Department of Consumer

77 Protection or by a national testing service designated by the
78 Commissioner of Consumer Protection and shall be administered to
79 applicants by the Department of Consumer Protection or by such
80 testing service at such times and places as the commissioner deems
81 necessary. The commission may waive the written examination
82 requirement in the case of an applicant who, in the opinion of the
83 commission, has taken an equivalent written examination in another
84 state and has received a score deemed satisfactory by the commission.

85 (d) Each applicant for a license as a community association manager
86 shall, before being admitted to an examination as provided in
87 subsection (c) of this section, prove to the satisfaction of the
88 commission that the applicant has successfully completed a course
89 approved by the commission in community association management
90 principles and practices, or that the applicant has equivalent
91 experience or education as determined by the commission.

92 Sec. 4. Section 20-453 of the general statutes is repealed and the
93 following is substituted in lieu thereof (*Effective January 1, 2008*):

94 Upon receipt of a completed application and the appropriate fees,
95 and after an examination as provided in subsection (c) of section 20-
96 452, as amended by this act, the department, upon authorization of the
97 commission, shall: (1) Issue and deliver to the applicant a [certificate of
98 registration] license as a community association manager; or (2) refuse
99 to issue [the certificate] or renew such license. The commission may
100 suspend, revoke or refuse to issue or renew any [certificate] license
101 issued under sections 20-450 to 20-462, inclusive, as amended by this
102 act, and sections 13 to 16, inclusive, of this act, or may place a
103 [registrant] licensee on probation or issue a letter of reprimand for any
104 of the reasons stated in subsection (a) of section 20-456, as amended by
105 this act. No application for the reinstatement of a [certificate] license
106 which has been revoked shall be accepted by the department within
107 one year after the date of such revocation.

108 Sec. 5. Section 20-254 of the general statutes is repealed and the

109 following is substituted in lieu thereof (*Effective January 1, 2008*):

110 (a) Upon refusal to issue or renew a [certificate] license as a
111 community association manager, the department shall notify the
112 applicant of the denial and of [his] the applicant's right to request a
113 hearing within ten days from the date of receipt of the notice of denial.

114 (b) In the event the applicant requests a hearing within such ten
115 days, the commission shall give notice of the grounds for its refusal
116 and shall conduct a hearing concerning such refusal in accordance
117 with the provisions of chapter 54 concerning contested cases.

118 (c) In the event the commission's denial of a [certificate] license is
119 sustained after such hearing, an applicant may make new application
120 not less than one year after the date on which such denial was
121 sustained.

122 Sec. 6. Section 20-455 of the general statutes is repealed and the
123 following is substituted in lieu thereof (*Effective January 1, 2008*):

124 (a) The commission may hold hearings on any matter under the
125 provisions of sections 20-450 to 20-462, inclusive, as amended by this
126 act, and sections 13 to 16, inclusive, of this act, and any matter
127 concerning a violation of chapter 825 or 828 by an association or the
128 governing board or any officer of such association. The commission or
129 department may issue subpoenas, administer oaths, compel testimony
130 and order the production of books, records and documents. If any
131 person refuses to appear, to testify or to produce any book, record,
132 paper or document when so ordered, upon application of the
133 commission or department, a judge of the Superior Court may make
134 such order as may be appropriate to aid in the enforcement of this
135 section.

136 (b) The Attorney General, at the request of the commission or
137 department or after investigation of a complaint concerning a violation
138 of chapter 825 or 828 by an association or the governing board or any

139 officer of such association, is authorized to apply in the name of the
140 state of Connecticut to the Superior Court for an order temporarily or
141 permanently restraining and enjoining any person from violating any
142 provision of sections 20-450 to 20-462, inclusive, as amended by this
143 act, sections 13 to 16, inclusive, of this act or chapter 825 or 828, or an
144 order requiring such person to make restitution for any damages
145 caused by the violation, or both.

146 (c) For the purposes of this section, "governing board" means (1) an
147 executive board, as defined in section 47-202, and (2) a board of
148 directors, as defined in section 47-68a.

149 Sec. 7. Section 20-456 of the general statutes is repealed and the
150 following is substituted in lieu thereof (*Effective January 1, 2008*):

151 (a) The commission may revoke, suspend or refuse to issue or renew
152 any [certificate of registration] license as a community association
153 manager or place a [registrant] licensee on probation or issue a letter of
154 reprimand for: (1) Making any material misrepresentation; (2) making
155 any false promise of a character likely to influence, persuade or induce;
156 (3) failing, within a reasonable time, to account for or remit any
157 moneys coming into [his] the licensee's possession which belong to
158 others; (4) conviction in a court of competent jurisdiction of this or any
159 other state of forgery, embezzlement, obtaining money under false
160 pretenses, larceny, extortion, conspiracy to defraud, or other like
161 offense or offenses, provided suspension or revocation under this
162 subdivision shall be subject to the provisions of section 46a-80; (5)
163 commingling funds of others in an escrow or trustee account; (6)
164 commingling funds of different associations; (7) any act or conduct
165 which constitutes dishonest, fraudulent or improper dealings; or (8) a
166 violation of any provision of sections 20-450 to 20-462, inclusive, as
167 amended by this act, or sections 13 to 16, inclusive, of this act, or any
168 regulation adopted under section 20-461, as amended by this act.

169 (b) The commission shall not revoke or suspend any [certificate of
170 registration] license as a community association manager except upon

171 notice and hearing in accordance with chapter 54.

172 Sec. 8. Section 20-457 of the general statutes is repealed and the
173 following is substituted in lieu thereof (*Effective January 1, 2008*):

174 (a) Each person engaged in providing association management
175 services shall (1) exhibit [his certificate of registration] such person's
176 license upon request by any interested party, (2) state in any
177 advertisement the fact that [he is registered] such person is licensed,
178 and (3) include [his registration] such person's license number in any
179 advertisement.

180 (b) No person shall: (1) Present or attempt to present, as [his] such
181 person's own, the [certificate] license of another, (2) knowingly give
182 false evidence of a material nature to the commission or department
183 for the purpose of procuring a [certificate] license, (3) represent himself
184 or herself falsely as, or impersonate, a [registered] licensed community
185 association manager, (4) use or attempt to use a [certificate] license
186 which has expired or which has been suspended or revoked, (5)
187 provide or offer to provide association management services without
188 having a current [certificate of registration] license under sections 20-
189 450 to 20-462, inclusive, as amended by this act, and sections 13 to 16,
190 inclusive, of this act, or (6) represent in any manner that [his
191 registration] such person's licensure constitutes an endorsement of the
192 quality of [his] such person's services or of [his] such person's
193 competency by the commission or department. In addition to any
194 other remedy provided for in sections 20-450 to 20-462, inclusive, as
195 amended by this act, and sections 13 to 16, inclusive, of this act, any
196 person who violates any provision of this subsection shall be fined not
197 more than five hundred dollars or imprisoned for not more than one
198 year, or be both fined and imprisoned. A violation of any of the
199 provisions of sections 20-450 to 20-462, inclusive, as amended by this
200 act, and sections 13 to 16, inclusive, of this act, shall be deemed an
201 unfair or deceptive trade practice under subsection (a) of section 42-
202 110b.

203 (c) [Certificates] Licenses issued to community association managers
204 shall not be transferable or assignable.

205 (d) All [certificates] licenses issued under the provisions of sections
206 20-450 to 20-462, inclusive, as amended by this act, and sections 13 to
207 16, inclusive, of this act, shall expire annually on the thirty-first day of
208 January, except as provided in section 16 of this act. The fee for
209 renewal of a [certificate] license shall be one hundred dollars.

210 (e) A community association manager whose [certificate] license has
211 expired more than one month before his or her application for renewal
212 is made shall have his [registration] or her license restored upon
213 payment of a fee of twenty-five dollars in addition to [his] the renewal
214 fee. Restoration of a [registration] license shall be effective upon
215 approval of the application for renewal by the commission.

216 (f) A [certificate] license shall not be restored unless it is renewed
217 not later than one year after its expiration.

218 (g) Failure to receive a notice of expiration or a renewal application
219 shall not exempt a community association manager from the obligation
220 to renew his or her license.

221 Sec. 9. Subsection (a) of section 20-458 of the general statutes is
222 repealed and the following is substituted in lieu thereof (*Effective*
223 *January 1, 2008*):

224 (a) No contract between a person contracting to provide association
225 management services and an association which provides for the
226 management of the association shall be valid or enforceable unless the
227 contract is in writing and:

228 (1) Provides that the person contracting to provide management
229 services shall be [registered] licensed as provided in sections 20-450 to
230 20-462, inclusive, as amended by this act, and sections 13 to 16,
231 inclusive, of this act, and shall obtain a bond as provided in section 20-
232 460, as amended by this act; and

233 (2) Provides that the person contracting to provide management
234 services shall not issue a check on behalf of the association or transfer
235 moneys exceeding a specified amount determined by the association
236 without the written approval of an officer designated by the
237 association; and

238 (3) Provides that the person contracting to provide management
239 services shall not enter into any contract binding the association
240 exceeding a specified amount determined by the association, except in
241 the case of an emergency, without the written approval of an officer
242 designated by the association.

243 Sec. 10. Subsection (a) of section 20-460 of the general statutes is
244 repealed and the following is substituted in lieu thereof (*Effective*
245 *January 1, 2008*):

246 (a) No person who provides association management services under
247 the provisions of sections 20-450 to 20-462, inclusive, as amended by
248 this act, and sections 13 to 16, inclusive, of this act, shall control,
249 collect, have access to or disburse funds of an association unless, at all
250 times during which the person controls, collects, has access to or
251 disburses such funds, there is in effect [.] a fidelity bond complying
252 with the provisions of this section.

253 Sec. 11. Section 20-461 of the general statutes is repealed and the
254 following is substituted in lieu thereof (*Effective January 1, 2008*):

255 The [department] Commissioner of Consumer Protection, with the
256 advice and assistance of the commission, shall adopt regulations, in
257 accordance with chapter 54, to carry out the provisions of sections 20-
258 450 to 20-462, inclusive, as amended by this act, and sections 13 to 16,
259 inclusive, of this act. Such regulations shall include, but not be limited
260 to: (1) Passing scores for examinations as provided in subsection (c) of
261 section 20-452, as amended by this act; (2) required topics and
262 classroom hours for courses as provided in subsection (d) of said
263 section; and (3) continuing education requirements for the renewal of a

264 license as a community association manager.

265 Sec. 12. Section 20-462 of the general statutes is repealed and the
266 following is substituted in lieu thereof (*Effective January 1, 2008*):

267 Any person aggrieved by an order or decision of the commission
268 under sections 20-450 to 20-462, inclusive, as amended by this act, and
269 sections 13 to 16, inclusive, of this act, may appeal [therefrom] from
270 such order or decision in accordance with the provisions of section 4-
271 183.

272 Sec. 13. (NEW) (*Effective January 1, 2008*) (a) There is created in the
273 department the Connecticut Community Association Commission.

274 (b) The commission shall consist of eight persons who shall be
275 electors of the state and appointed by the Governor. Five of the
276 members shall be at the time of appointment licensed community
277 association managers, except that the initial appointees shall be so
278 licensed at the time of or within one month after appointment, and
279 three of the members shall be public members. Not more than a bare
280 majority of the commission shall be members of the same political
281 party and there shall be at least one member from each congressional
282 district.

283 (c) The members of the commission shall serve until the expiration
284 of the term for which they were appointed and until their successors
285 have qualified. Members shall not be compensated for their services
286 but shall be reimbursed for necessary expenses incurred in the
287 performance of their duties. The Governor may remove any member
288 for cause upon notice and an opportunity to be heard. Upon the death,
289 resignation or removal of a member, the Governor shall appoint a
290 successor to serve for the unexpired portion of the vacated term and
291 until such member's successor is appointed and qualifies. Each
292 member shall, before entering upon such member's duties, take and
293 file with the commission an oath to faithfully perform the duties of
294 such member's office.

295 Sec. 14. (NEW) (*Effective January 1, 2008*) (a) Within thirty days after
296 the appointment of the members of the commission, the commission
297 shall meet in the city of Hartford for the purpose of organizing by
298 selecting such officers other than a chairperson as the commission may
299 deem necessary and appropriate. A majority of the members of the
300 commission shall constitute a quorum for the exercise of the powers or
301 authority conferred upon it.

302 (b) The commission shall:

303 (1) Authorize the department to issue licenses to community
304 association managers;

305 (2) Administer the provisions of sections 20-450 to 20-462, inclusive,
306 of the general statutes, as amended by this act, and sections 13 to 16,
307 inclusive, of this act as to the licensure and the issuance, renewal,
308 suspension or revocation of licenses of community association
309 managers; and

310 (3) Receive complaints of violations of chapter 825 or 828 of the
311 general statutes by associations or the governing boards or officers of
312 such associations.

313 (c) The commission shall be provided with the necessary office
314 space in Hartford by the Commissioner of Public Works. The place of
315 business of the commission and all files, records and property of the
316 commission shall at all times be and remain at such office, except that
317 inactive files shall be stored at a location designated by the
318 commission.

319 (d) The commission shall hold meetings and hearings in Hartford,
320 in space provided by the Commissioner of Administrative Services, or
321 at such places outside of Hartford as shall be determined by the
322 chairperson of the commission. The commission shall meet at least
323 once in each three-month period and may meet more often at the call
324 of its chairperson. The chairperson of the commission shall call a

325 meeting of the commission whenever requested to do so by a majority
326 of the members of the commission.

327 (e) The commission shall vote on all matters requiring a decision
328 and votes shall be recorded in the commission's minutes.

329 Sec. 15. (NEW) (*Effective January 1, 2008*) In addition to any other
330 remedy provided for in sections 20-450 to 20-462, inclusive, of the
331 general statutes, as amended by this act, sections 13 to 16, inclusive, of
332 this act or chapter 416 of the general statutes, the commission or the
333 Commissioner of Consumer Protection may, after notice and hearing,
334 impose a civil penalty on any person providing association
335 management services who has engaged in one or more of the activities
336 specified in subdivisions (1), (2), (3) and (5) to (8), inclusive, of
337 subsection (a) of section 20-456 of the general statutes, as amended by
338 this act, and subdivisions (1) to (6), inclusive, of subsection (b) of
339 section 20-457 of the general statutes, as amended by this act. Such civil
340 penalty shall be in an amount not more than one thousand dollars for a
341 first violation of this section, not more than one thousand five hundred
342 dollars for a second violation of this section and not more than three
343 thousand dollars for each violation of this section occurring less than
344 three years after a second or subsequent violation of this section.

345 Sec. 16. (NEW) (*Effective January 1, 2008*) During the period
346 commencing on the effective date of this section, and ending on the
347 sixtieth calendar day following the effective date of this section, the
348 department shall issue a license as a community association manager
349 to any person holding a valid certificate of registration as a community
350 association manager on the effective date of this section, upon
351 payment of a license fee of one hundred dollars. Such license shall
352 expire on the thirty-first day of January of the year immediately
353 following the year in which it is issued. The provisions of subsections
354 (c) and (d) of section 20-452 of the general statutes, as amended by this
355 act, shall not apply to the issuance or renewal of any such license.

356 Sec. 17. Section 21a-6 of the general statutes is repealed and the

357 following is substituted in lieu thereof (*Effective January 1, 2008*):

358 The following boards shall be within the Department of Consumer
359 Protection:

360 (1) The Architectural Licensing Board established under chapter
361 390;

362 (2) Repealed by P.A. 93-151, S. 3, 4;

363 (3) The examining boards for electrical work; plumbing and piping
364 work; heating, piping, cooling and sheet metal work; elevator
365 installation, repair and maintenance work; fire protection sprinkler
366 systems work and automotive glasswork and flat glass work
367 established under chapter 393;

368 (4) The State Board of Television and Radio Service Examiners
369 established under chapter 394;

370 (5) The Commission of Pharmacy established under chapter 400j;

371 (6) The State Board of Landscape Architects established under
372 chapter 396;

373 (7) Deleted by P.A. 98-229;

374 (8) The State Board of Examiners for Professional Engineers and
375 Land Surveyors established under chapter 391;

376 (9) Repealed by P.A. 80-484, S. 175, 176;

377 (10) The Connecticut Real Estate Commission established under
378 chapter 392;

379 (11) The Connecticut Real Estate Appraisal Commission established
380 under chapter 400g;

381 (12) The State Board of Examiners of Shorthand Reporters
382 established under chapter 400l;

383 (13) The Liquor Control Commission established under chapter 545;

384 (14) Repealed by P.A. 06-187, S. 99, effective October 1, 2006;

385 (15) The Home Inspection Licensing Board established under
386 section 20-490a;

387 (16) The Connecticut Community Association Commission
388 established under chapter 400b, as amended by this act.

389 Sec. 18. Subsection (d) of section 21a-9 of the general statutes is
390 repealed and the following is substituted in lieu thereof (*Effective*
391 *January 1, 2008*):

392 (d) As used in chapters 390, 391, 392, 393, 394, 396, 400b, as
393 amended by this act, 400g, 400j, 482 and 400l:

394 (1) "Certificate" includes the whole or part of any Department of
395 Consumer Protection permit which the department issues under
396 authority of the general statutes and which (A) authorizes practice of
397 the profession by certified persons but does not prohibit the practice of
398 the profession by others, not certified, (B) prohibits a person from
399 falsely representing that such person is certified to practice the
400 profession unless the person holds a certificate issued by the
401 department, and (C) requires as a condition of certification that a
402 person submit specified credentials to the department which attest to
403 qualifications to practice the profession.

404 (2) "License" includes the whole or part of any Department of
405 Consumer Protection permit, approval, or similar form of permission
406 which the department issues under authority of the general statutes
407 and which requires (A) practice of the profession by licensed persons
408 only, (B) demonstration of competence to practice by examination or
409 other means and meeting of certain minimum standards, and (C)
410 enforcement of standards by the department or regulatory board or
411 commission.

412 (3) "Registration" includes the whole or part of any Department of
413 Consumer Protection permit which the department issues under
414 authority of the general statutes and which (A) requires persons to
415 place their names on a list maintained by the department before they
416 can engage in the practice of a specified profession or occupation, (B)
417 does not require a person to demonstrate competence by examination
418 or other means, and (C) may be revoked or suspended by the
419 commissioner for cause.

420 Sec. 19. Section 47-80a of the general statutes is repealed and the
421 following is substituted in lieu thereof (*Effective October 1, 2007*):

422 (a) Except to the extent prohibited by the condominium
423 instruments, and subject to any restrictions and limitations specified
424 therein, the unit owners' association, whether incorporated or
425 unincorporated, shall have the power to: (1) Employ, dismiss and
426 replace agents and employees to exercise and discharge the powers
427 and responsibilities of the association; (2) make or cause to be made
428 additional improvements on and as a part of the common elements; (3)
429 grant or withhold approval of any action by one or more unit owners
430 or other persons entitled to occupancy of any unit which would
431 change the exterior appearance of any unit or of any other portion of
432 the condominium, or elect or provide for the appointment of an
433 architectural control committee [,] to grant or withhold such approval;
434 (4) acquire, hold, convey and encumber title to real property,
435 including, but not limited to, condominium units and the common
436 elements appurtenant thereto, recreation facilities and personal
437 property; (5) sue and be sued in any court, [;] appear on behalf of all
438 unit owners before any officer, agency, board, commission or
439 department of the state or any political subdivision thereof and appeal
440 from any judgments, orders, decisions or decrees rendered by the
441 same; and (6) [to] grant easements through the common elements and
442 accept easements benefiting the condominium or any portion thereof.
443 The foregoing enumeration of powers shall not be construed to
444 prohibit the grant by the condominium instruments of other powers

445 and responsibilities to the unit owners' association, [nor] or to divest a
446 unit owners' association incorporated as a stock corporation under
447 chapter 601 or any predecessor statutes thereto, or as a nonstock
448 corporation under chapter 602 or any predecessor statutes thereto, of
449 any powers which it may exercise thereunder.

450 (b) Notwithstanding any provision of the condominium instruments
451 to the contrary, at least thirty days before the final adoption or
452 ratification of any proposed budget for the condominium, the board of
453 directors shall hold a hearing at which all unit owners shall have an
454 opportunity to express their views concerning the proposed budget.
455 The board of directors shall give written notice to all unit owners of the
456 date, time and place of such hearing not less than seven days prior to
457 the date of such hearing. The hearing notice shall include a summary
458 of the proposed budget. At least one copy of the proposed budget shall
459 be available for inspection at such hearing.

460 Sec. 20. Subsection (b) of section 47-81 of the general statutes is
461 repealed and the following is substituted in lieu thereof (*Effective*
462 *October 1, 2007*):

463 (b) (1) Records maintained by the declarant, by the association or by
464 the manager shall be available for examination and copying by any
465 unit owner, [his] or the unit owner's duly authorized agents or
466 attorneys, at the expense of the unit owner, during normal business
467 hours and after reasonable notice.

468 (2) Notwithstanding any provision of the condominium instruments
469 to the contrary, at least fourteen days prior to entering into any loan
470 agreement on behalf of the association of unit owners, the board of
471 directors shall (A) disclose in writing to all unit owners the amount
472 and terms of the loan and the effect of such loan on any assessment for
473 common expenses, and (B) afford the unit owners a reasonable
474 opportunity to submit written comments to the board of directors with
475 respect to such loan.

476 Sec. 21. Subsection (c) of section 47-245 of the general statutes is
477 repealed and the following is substituted in lieu thereof (*Effective*
478 *October 1, 2007*):

479 (c) [Within] Notwithstanding any provision of the declaration or
480 bylaws to the contrary, within thirty days after adoption of any
481 proposed budget for the common interest community, the executive
482 board shall [provide a summary of the budget to all the unit owners
483 and shall set a date for] hold a hearing at which all unit owners shall
484 have an opportunity to express their views concerning the proposed
485 budget. The executive board shall give written notice to all unit owners
486 of the date, time and place of such hearing not less than seven days
487 prior to the date of such hearing. The hearing notice shall include a
488 summary of the proposed budget. At least one copy of the proposed
489 budget shall be available for inspection at such hearing. Not later than
490 seven days after the date on which such hearing is held, the executive
491 board shall give written notice to all unit owners of the date, time and
492 place of a meeting of the unit owners to consider ratification of the
493 proposed budget. The meeting notice shall include a summary of the
494 proposed budget if the proposed budget has been revised after such
495 hearing. Such meeting shall be held not less than fourteen [nor] or
496 more than thirty days after hand-delivery or mailing of the [summary]
497 meeting notice. Unless at [that] such meeting a majority of all unit
498 owners, or any larger vote specified in the declaration, reject the
499 proposed budget, the budget is ratified, whether or not a quorum is
500 present. In the event the proposed budget is rejected, the periodic
501 budget last ratified by the unit owners shall be continued until such
502 time as the unit owners ratify a subsequent budget proposed by the
503 executive board as provided in this subsection.

504 Sec. 22. Section 47-260 of the general statutes is repealed and the
505 following is substituted in lieu thereof (*Effective October 1, 2007*):

506 (a) The association shall keep financial records sufficiently detailed
507 to enable the association to comply with section 47-270. All financial

508 and other records shall be made reasonably available for examination
509 by any unit owner and [his] the unit owner's authorized agents.

510 (b) Notwithstanding any provision of the declaration or bylaws to
511 the contrary, at least fourteen days prior to entering into any loan
512 agreement on behalf of the association, the executive board shall (1)
513 disclose in writing to all unit owners the amount and terms of the loan
514 and the effect of such loan on any common expense assessment, and
515 (2) afford the unit owners a reasonable opportunity to submit written
516 comments to the executive board with respect to such loan.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2008</i>	20-450
Sec. 2	<i>January 1, 2008</i>	20-451
Sec. 3	<i>January 1, 2008</i>	20-452
Sec. 4	<i>January 1, 2008</i>	20-453
Sec. 5	<i>January 1, 2008</i>	20-254
Sec. 6	<i>January 1, 2008</i>	20-455
Sec. 7	<i>January 1, 2008</i>	20-456
Sec. 8	<i>January 1, 2008</i>	20-457
Sec. 9	<i>January 1, 2008</i>	20-458(a)
Sec. 10	<i>January 1, 2008</i>	20-460(a)
Sec. 11	<i>January 1, 2008</i>	20-461
Sec. 12	<i>January 1, 2008</i>	20-462
Sec. 13	<i>January 1, 2008</i>	New section
Sec. 14	<i>January 1, 2008</i>	New section
Sec. 15	<i>January 1, 2008</i>	New section
Sec. 16	<i>January 1, 2008</i>	New section
Sec. 17	<i>January 1, 2008</i>	21a-6
Sec. 18	<i>January 1, 2008</i>	21a-9(d)
Sec. 19	<i>October 1, 2007</i>	47-80a
Sec. 20	<i>October 1, 2007</i>	47-81(b)
Sec. 21	<i>October 1, 2007</i>	47-245(c)
Sec. 22	<i>October 1, 2007</i>	47-260

Statement of Purpose:

To establish the Connecticut Community Association Commission and provide for the licensing of community association managers, to enhance the enforcement authority of the Department of Consumer Protection and the Attorney General with respect to violations of law by condominium associations and their governing boards and officers, and to ensure that unit owners have the right to receive information concerning, and to comment upon, proposed association budgets and loan transactions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]